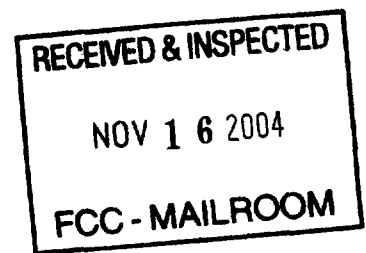


November 16, 2004



Ms. Marlene Dortch
Office of the Secretary
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

Re: Petition for Rule Making
Moody, Texas (Channel 256A)

Dear Ms. Dortch:

Enclosed is an original and four (4) copies of my
Petition for Rule Making to add Channel 256A at Moody,
Texas.

Respectfully submitted,

A handwritten signature in black ink, appearing to be "Charles Crawford", written over a horizontal line.

Charles Crawford
4553 Bordeaux Ave.
Dallas, Texas 75205
(214) 520-7077 Tele

MoodyCov

No. of Copies rec'd 074
List ABCDE
MP 04-194

RECEIVED & INSPECTED
NOV 16 2004
FCC - MAILROOM

To: John Karousos, Assistant Chief
Audio Division of the
Media Bureau

Pursuant to 47 C.F.R. 1.401, Charles Crawford respectfully petitions the FCC to institute a Rule Making proceeding to amend the FM Table of Allotments to add Channel 256A at Moody, Texas.

Petitioner respectfully submits that the public interest would be served by allocating Channel 256A to Moody, Texas as that community's first local FM service. Moody is an incorporated city with a population of 1,400 people and 94 businesses that have been given a credit rating by Dun & Bradstreet as of the last quarter of 2000 according to the Texas Almanac 2002/ 2003. Moody has its own mayor, Mac Alton, its own school system, the Moody

Independent School District, its own post office, its own volunteer fire department, its own police department, its own city hall and a number of local churches. The proposed Channel 256A will provide additional diversity and an outlet for local self-expression to Moody residents and therefore is in the public interest. "Local radio stations play an important role in their communities, providing local news, information and entertainment to residents, and generally serving as good corporate citizens in the local community life. This is particularly true in smaller towns, where the radio stations are limited in number. Yet there are still rural areas of our country that do not have even a local radio station."¹

Attached hereto is a channel study confirming that Channel 256A can be allocated to Moody, Texas, consistent with the FCC's FM separation rules. See revision of FM Assignment Policies and Procedures, 90 FCC 2d 88 (1992). (See, Attachment A) Note: the petition to add Channel 256A at Moody, Texas was dismissed by FCC letter dated September 9, 2004. (See, Attachment B) Also note, station KHHL, Channel 255C2 at Leander, Texas license to cover was granted November 10, 2004. (See, Attachment C)

¹ Statement of Commissioner Kevin J. Martin, MM & O, MM Docket 99-240, released May 20, 2004.

Reference coordinates for Channel 256A at Moody, Texas are:

31 17 03 N
97 26 35 W

Should this petition be granted, and Channel 256A allotted to Moody, Texas, Petitioner will apply for Channel 256A, and after it is authorized, will promptly construct the new facility.

The information provided in this Petition for Rule Making is correct and true to the best of my knowledge.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Charles Crawford', is written over a horizontal line.

Charles Crawford
4553 Bordeaux Ave.
Dallas, Texas 75205
(214) 520-7077 Tele

cc: Gene A. Bechtel, Law Office of Gene Bechtel, Suite 600, 1050 17th Street, N.W., Washington, D.C. 20036, telephone (202) 496-1289, telecopier (301) 762-0156, attorney for Charles Crawford. It is requested that the Commission and any parties who may file pleadings in the captioned matter serve copies to Mr. Bechtel as well as Mr. Crawford.

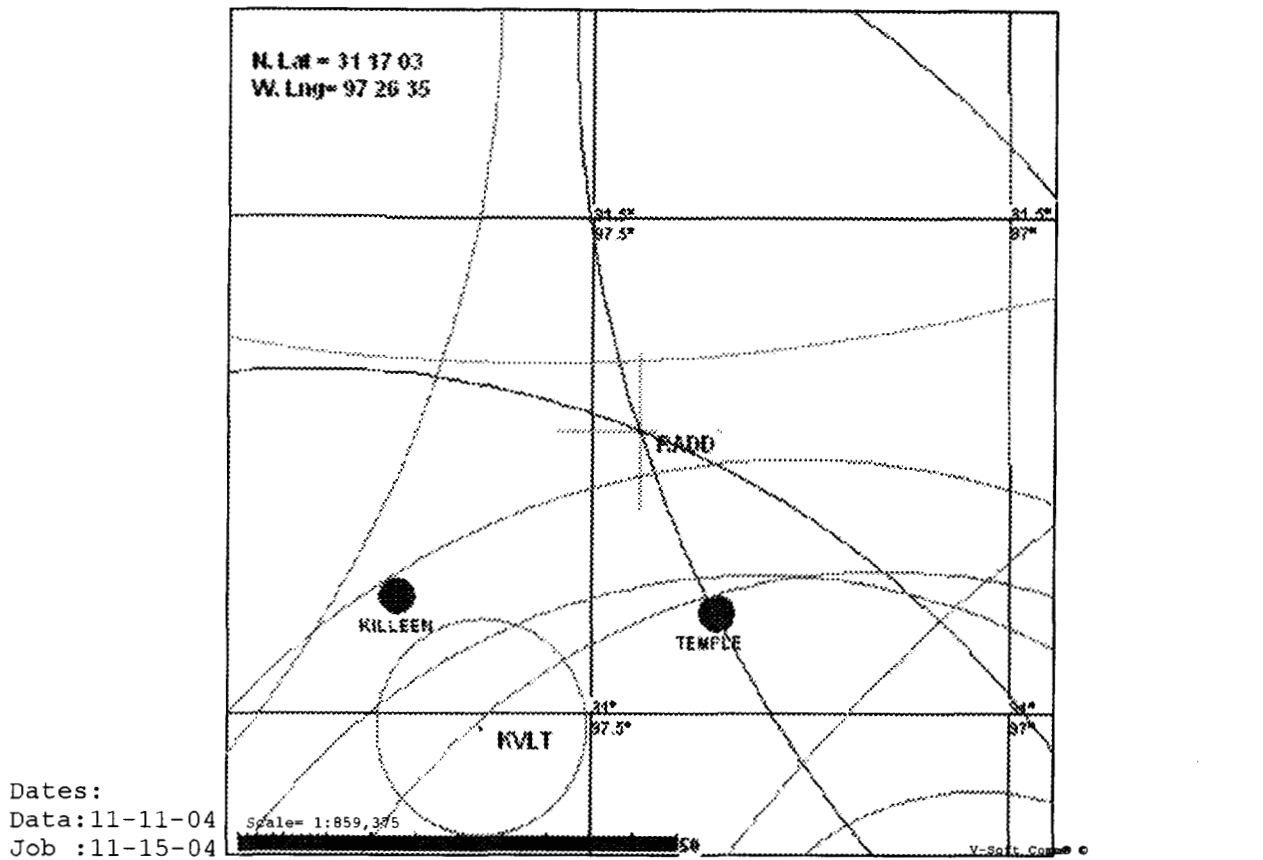
November 16, 2004

MoodyP

Attachment A

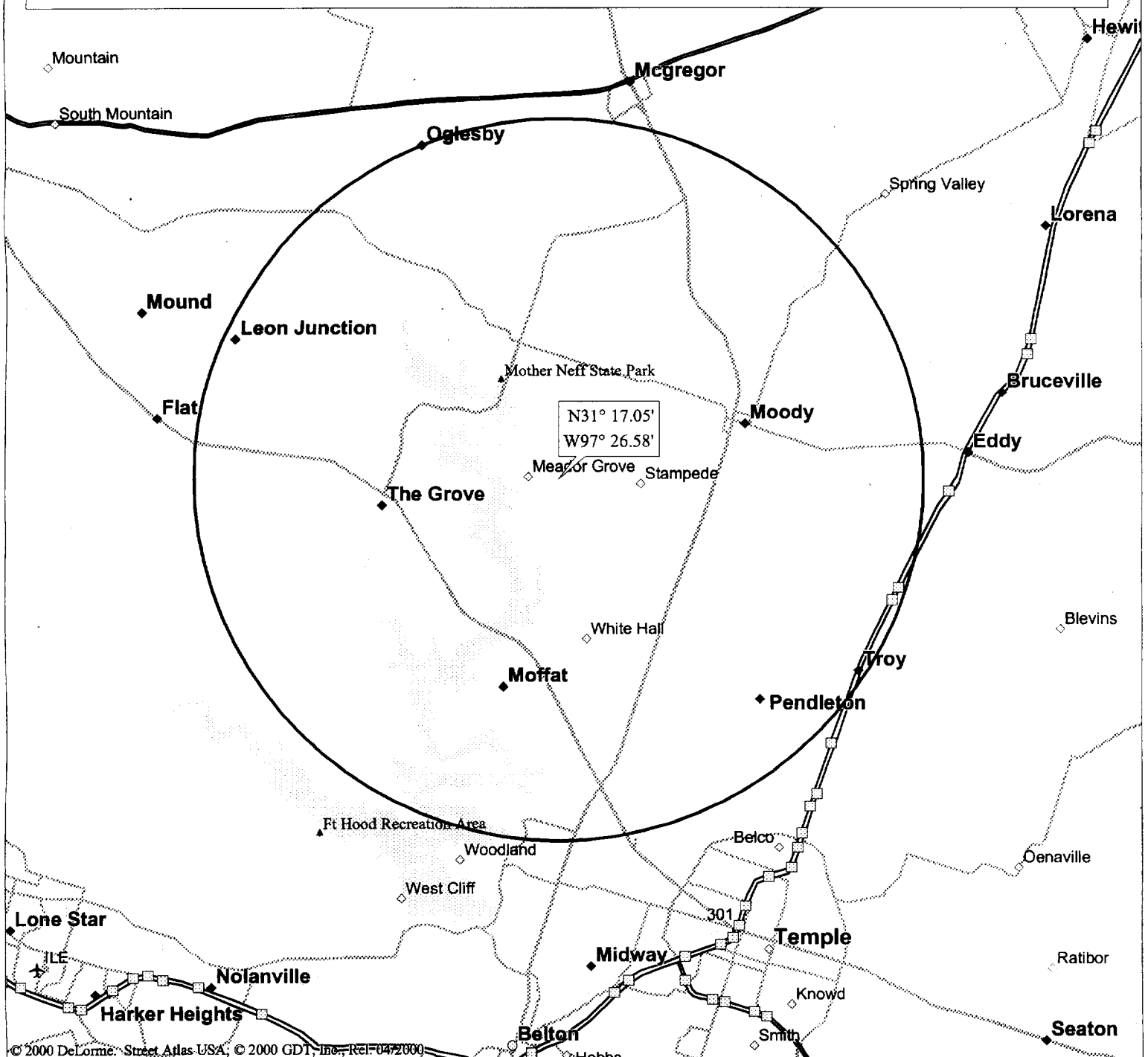
(Channel Study for Channel 256A at Moody, Texas)

FM PROSP^(TM) LOCATE STUDY CH 256 A 99.1 MHz



Call	CH#	Type	Location		D-KM	Azi	FCC	Margin
RADD	256A	ADD	Moody	TX	0.00	0.0	115.0	-115.00
KHHL	255C1	LIC	Leander	TX	80.95	220.2	133.0	-52.05
KNES	256C3	LIC	Fairfield	TX	141.98	71.4	142.0	-0.02
KHHL.C	255C2	CP	N Leander	TX	105.99	200.8	106.0	-0.01
KJAZ	257C3	RSV	Thorndale	TX	93.96	168.9	89.0	4.96
KFZO	256C*	LIC	Denton	TX	233.73	357.2	226.0	7.73
KJAZ.A	257A	APP	Thorndale	TX	89.20	171.2	72.0	17.20
KJAZ.C	257A	CP	Thorndale	TX	92.05	162.4	72.0	20.05
KPSM	257C1	LIC	N Brownwood	TX	157.02	288.4	133.0	24.02
KVLT	203C3	LIC-D	Temple	TX	37.70	208.5	12.0	25.70
KODA	256C	LIC	Houston	TX	265.22	135.2	226.0	39.22
KRXT	253A	LIC	Rockdale	TX	81.06	151.4	31.0	50.06
KPLX	258C	LIC	Fort Worth	TX	150.51	16.9	95.0	55.51
KLUVFM	254C	LIC	Dallas	TX	151.45	17.0	95.0	56.45
AP202	202A	APP	Lampasas	TX	69.95	243.0	10.0	59.95
RADD	253A	ADD	Lometa	TX	95.52	272.2	31.0	64.52

Moody, TX CH 256A 70 dBu



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Mag 11.00

Fri Sep 17 13:39 2004

Scale 1:250,000 (at center)

5 Miles

5 KM

- | | |
|-------------------------------|-------------------------|
| — Local Road | ◆ Small Town |
| — Interstate/Unlimited Access | ◇ Large City |
| — US Highway | ▲ Park/Reservation |
| — Interstate/Limited Access | ◇ Locale |
| — Major Connector | ✈ Sched Service Airport |
| — State Route | WATER Water |
| ■ Exit | |
| ○ County Seat | |

Attachment B

(FCC letter dated September 9, 2004, dismissing the
Petition to add Channel 256A at Moody, Texas)



Federal Communications Commission
Washington, D.C. 20554

September 9, 2004

Charles Crawford
4553 Bordeaux Ave.
Dallas, Texas 75205

Dear Mr. Crawford:

This concerns your petition for rulemaking in which you request that the Commission amend Section 73.202(b) of its rules, FM Table of Allotments, to allot Channel 256A to Moody, Texas.

An initial review of your petition shows that it is unacceptable for consideration at this time. The foregoing petition does not comply with Section 73.207(a) of the Commission's rules because the proposed transmitter site is short spaced by 52 kilometers to the licensed facilities for Station KHHL(FM) ("KHHL"), Channel 255C1, Leander, Texas. Although a construction permit has been issued to allow Station KHHL to move to Channel 255C2 at a location that would be fully spaced, no license has been issued for the facilities proposed. In regard to the downgrade at Station KHHL, any rulemaking proposal must protect the authorized Class C1 facilities until the Class C2 facilities are licensed. *See Revision of Section 73.3573(a)(1) of the Commission's Rules Concerning the Lower Classification of an FM Allotment*, 4 FCC Rcd 2413 (1989). Thus your proposal is contingent on the grant of the license for the facilities specified in the construction permit for Station KHHL, and we do not accept such contingent petitions for rulemaking. *See Cut and Shoot, Texas*, 11 FCC Rcd 16383.

Therefore, we are returning your petition for rulemaking.

Sincerely,

A handwritten signature in black ink, appearing to read "John A. Karousos", is written over a large, stylized, and somewhat illegible signature that appears to be "John A. Karousos".

John A. Karousos
Assistant Chief, Audio Division
Media Bureau

Attachment C

(KHHL's license to cover authorization)

United States of America
FEDERAL COMMUNICATIONS COMMISSION
FM BROADCAST STATION LICENSE

Authorizing Official:

Official Mailing Address:

AMIGO RADIO, LTD.
5201 NORTH O'CONNOR BOULEVARD
SUITE 500
IRVING, TEXAS 75039 TX 75039

Penelope A. Dade
Supervisory Analyst
Audio Division
Media Bureau

Facility Id: 59982

Call Sign: KHHL

License File Number: BLH-20040719ADW

Grant Date: November 10, 2004

This license expires 3:00 a.m.
local time, August 01, 2005.

This license covers permit no.: BPH-20010105AAS
As modified by permit no.: BMPH-20031121AOR

Subject to the provisions of the Communications Act of 1934, subsequent acts and treaties, and all regulations heretofore or hereafter made by this Commission, and further subject to the conditions set forth in this license, the licensee is hereby authorized to use and operate the radio transmitting apparatus herein described.

This license is issued on the licensee's representation that the statements contained in licensee's application are true and that the undertakings therein contained so far as they are consistent herewith, will be carried out in good faith. The licensee shall, during the term of this license, render such broadcasting service as will serve the public interest, convenience, or necessity to the full extent of the privileges herein conferred.

This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequency designated in the license beyond the term hereof, nor in any other manner than authorized herein. Neither the license nor the right granted hereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934. This license is subject to the right of use or control by the Government of the United States conferred by Section 606 of the Communications Act of 1934.

Callsign: KHHL

License No.: BLH-20040719ADW

Name of Licensee: AMIGO RADIO, LTD.

Station Location: TX-LEANDER

Frequency (MHz): 98.9

Channel: 255

Class: C2

Hours of Operation: Unlimited

Transmitter: Type Accepted. See Sections 73.1660, 73.1665 and 73.1670 of the Commission's Rules.

Transmitter output power: 21.0 kW

Antenna type: Non-Directional

Description: ERI SHPX-4E-HW

Antenna Coordinates: North Latitude: 30 deg 23 min 26 sec

West Longitude: 97 deg 50 min 13 sec

	Horizontally Polarized Antenna	Vertically Polarized Antenna
Effective radiated power in the Horizontal Plane (kW):	25.0	25.0
Height of radiation center above ground (Meters):	72	72
Height of radiation center above mean sea level (Meters):	401	401
Height of radiation center above average terrain (Meters):	164	164
Antenna structure registration number: 1243735		

Overall height of antenna structure above ground (including obstruction lighting if any) see the registration for this antenna structure.

Special operating conditions or restrictions:

- 1 The permittee/licensee must reduce power or cease operation as necessary to protect persons having access to the site, tower or antenna from radiofrequency electromagnetic fields in excess of FCC guidelines.
- 2 ***** This is a Section 73.215 contour protection grant *****
***** as requested by this applicant *****

Callsign: KHHL

License No.: BLH-20040719ADW

Special operating conditions or restrictions:

- 3 The licensee has demonstrated compliance with the FCC radiofrequency electromagnetic field exposure guidelines based upon the usage of the antenna specified herein. If the licensee makes any changes in facilities via modification of license application in accordance with 47 CFR section 73.1690(c), the subsequent Form 302-FM, application for license, must include a revised RF field showing to demonstrate continued compliance with the FCC guidelines.

*** END OF AUTHORIZATION ***